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CIA director's attack on press
intensifies effort to plug leaks5
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Central Intelligence Agency Director
William J. Casey is on the attack.But rather than singling out Soviet
spies or international terrorists, the most
recent objects of Mr. Casey's wrath are
the American news media.Casey is upset about news reports that
touch on United States capabilities to con-
duct electronic and communications intel-
ligence gathering against the Soviets and
others.The director of Central Intelligence is
concerned that American news stories of-
fer a useful addition to the US secrets the
Soviets are already able to collect. He is
also concerned that detailed news ac-
counts might jeopardize the sources and
methods used by US intelligence agencies.Casey has resurrected a little-used
1950 law and is threatening to prosecute
news organizations or individuals who in
his view have violated it.The National Broadcasting Company is
the latest addition to the CIA director's
list of news organizations that he says
have broken the law by disclosing infor-
mation about US electronic and communi-
cations intelligence efforts. The list al-
ready includes the Washington Post, the
New York Times, Newsweek, Time, and
the Washington Times.The offending news stories have in-
cluded reports about the US interception
of coded Libyan communications related
to a terrorist bombing in West Berlin last
month and about National Security
Agency secrets allegedly passed to the
Soviets by accused spy Ronald Pelton.Administration officials have long
complained about leaks and the publish-
ing of classified information in the press
but had confined their efforts to actions
taken against government employees.Casey's recent threats to prosecute re-
porters marks a significant escalation in
administration efforts to cut off certain
types of government leaks. Earlier crack-
downs have been aimed at the leakers
themselves; now the administration ap-
pears to be targeting the news organiza-
tions that might publicize the leaks."The media, like everyone else, must
adhere to the law," Casey said in a speech
last week.Likewise, Secretary of State George P.
Shultz recently told the Overseas Writers
Club, "I think our basic problem is that
we've lost all sense of discipline. . . .
Whether you are talking about people in
government or people outside govern-
ment, there used to be a lot more restraint
on the part of the press in what they print
or publish."Some First Amendment advocates ar-
gue that the Constitution protects the
press from government efforts to muzzle
it, except in limited circumstances when
the United States is at war. In addition,
they maintain that despite complaints by
the Reagan administration, news execu-
tives can and do act responsibly in deter-
mining what to publish and what might
damage US national security.In order to prosecute a newspaper or
television station using Casey's communi-
cations intelligence statute, the govern-
ment would have to prove not only that
communications intelligence was dis-
closed, but also that the accused news
organization was aware at the time of its
report that it was disclosing sensitive
information.According to Jerry Berman of the
American Civil Liberties Union, the ad-
ministration may be attempting to "set
up" news organizations which have al-
ready been forewarned by the CIA of the
sensitivities of the Pelton case and the
Libyan code case.To publish new sensitive details of
those cases now, he says, would make it
much easier for the government to prove
its case in court by showing that the
accused news organization knew of the
sensitivities of the information but went
ahead with the story anyway.On Monday, Casey asked the Justice
Department to review an NBC "Today"
broadcast for possible prosecution under
the communications intelligence statute.
The Monday morning broadcast, by
James Polk, was about the Pelton spy
trial, which is beginning this week in Bal-
timore. It said, in part, "Pelton appar-
ently gave away one of the [National Se-
curity Agency's] most sensitive secrets —
a project with the code name Ivy Bells —
believed to be a top-secret eavesdropping

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program by American submarines inside Soviet harbors."

A Justice Department spokesman declined to comment on the matter.

Critics of the crackdown say even loyal Reagan administration officials have been prone to leak classified information when it supports administration policy or goals. They charge that the administration is concerned only about anti-administration or embarrassing leaks.

"The administration has done most of the leaking, and intentionally so," says Mr. Berman of the ACLU. He adds, "What the administration is saying essentially is that we want to control [all] leaks."